

January 6, 2010

RECEIVED
FEDERAL ELECTION
COMMISSION

Thomasenia Duncan, Esquire
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

2010 JAN 19 AM 10: 28

OFFICE OF GENERAL
COUNSEL

MUR # 6247

Re: Complaint against David Smith and Examiner.com, through The Anschutz Company

Dear Ms. Duncan:

Pursuant to 2 USC § 437g(a)(1) and 11 CFR § 111.4, please accept this Letter of Complaint against David Smith (Smith) and Examiner.com, which is owned by The Anschutz Company ("the Corporation"), for violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Federal Election Commission ("FEC" or "Commission") regulations. Specifically, the Corporation made, and Smith accepted, prohibited corporate contributions in violation of 2 U.S.C. § 441b. In addition, certain public communications made by Smith and the Corporation failed to include the disclaimers required by 2 U.S.C. § 441d.

I. Facts

The Corporation owns and operates an Internet news portal website, which was launched in April of 2008 and is located at www.examiner.com. According to the Corporation's website, the Corporation, through its website, provides news coverage of more than 100 U.S. cities. The Corporation is a division of Clarity Digital Group LLC, and is wholly owned by The Anschutz Company.

The Corporation's website features articles, blogs and photographs provided by "Examiners." According to the Corporation's website, Examiners are local insiders and influencers who choose where, when, and what to write about within their selected topic. Examiners are paid a "very competitive rate" for their work. Examiners are independent contractors, and not employed by the Corporation. See <http://www.examiner.com/assets/examinerfaq.html>. David Smith is the "Dallas County Republican Examiner" for the Corporation, and is thus compensated for his writing. His biography and columns can be found online at <http://www.examiner.com/x-17004-Dallas-County-Republican-Examiner?showbio>. Examples of Smith's columns are also attached as Attachment 1.

On November 3, 2009, at 11:03 p.m., Smith posted a campaign announcement entitled "Announcement of candidacy for US House District 32 and campaign kick-off event" on the Corporation's website, located at <http://www.examiner.com/x-17004-Dallas-County-Republican-Examiner-v2009m11d3-Announcement-of-candidacy-for-US-House-District-32-and-campaign-kickoff-event> ("the Campaign Announcement"). See

Attachment 2. The Campaign Announcement includes a biography of Smith, announces his candidacy for U.S. Representative for Texas' 32nd Congressional District ("Today I am proud to announce my candidacy for the 32nd Congressional District from the Great State of Texas and I want you to be the first to know."), and invites readers to a campaign fundraising event held on November 9, 2009. Additionally, in the Campaign Announcement, Smith tells readers that he hopes "to earn your support and your vote, and [is] looking forward to meeting each of you soon."

The Corporation's terms of use, posted at http://www.examiner.com/Terms_of_Use.html, state that Examiners agree that they will not use the Corporation's website to transmit any content that "contains any unsolicited or unauthorized advertising...(including, without limitation any request for or solicitation of money, goods, or services for private gain)."

Language at the end of the Announcement Article states the following: "NOTE: This Examiner.com article is an event notification and is not subject to reporting requirements under Texas law. David Smith, candidate for Congress, subscribes to fair campaign practices under relevant Texas laws."

Friends of David Smith, Smith's principal campaign committee, filed its FEC Form 1 Statement of Organization on December 29, 2009. According to the FEC website, as of January 5, 2010, Smith had failed to file a FEC Form 2 Statement of Candidacy with the FEC.

II. Legal Analysis

A. The Campaign Announcement Does Not Qualify for the Press Exemption

The Campaign Announcement falls outside the scope of the press exemption, as set forth in 11 CFR § 100.73. While the website itself is likely a legitimate press entity, the publication of Smith's Campaign Announcement was not a "legitimate press function." While reporting or commenting on a person's announcement of candidacy would certainly constitute a "legitimate press function," the unredacted dissemination of a reporter's candidacy announcement and fundraising invitation – in the guise of a normal column – has been found not to be a "legitimate press function." Mr. Smith's Campaign Announcement was not a *bona fide* news story, as Advisory Opinion 2005-07 (Mayberry) uses the term. Nor was it *bona fide* editorial or commentary.

It is evident from the Corporation's own terms of use that Mr. Smith's Campaign Announcement was not a normal occurrence, and, in fact, constituted a violation of the Corporation's policies. The terms of use specifically prohibit the transmission of content that "contains any unsolicited or unauthorized advertising...(including, without limitation any request for or solicitation of money, goods, or services for private gain)." See the Corporation's terms of use at http://www.examiner.com/Terms_of_Use.html.

Mr. Smith has full control over the content of his postings. For purposes of his column, he controls the facility that disseminates his material.

For the reasons set forth above, the press exemption does not apply to Mr. Smith's Campaign Announcement.

B. The Campaign Announcement is not Exempt, Uncompensated Internet Activity

Mr. Smith cannot avail himself of the exemption set forth at 11 C.F.R. § 100.94 because he is compensated for this writings on www.examiner.com. As explained in the facts above and noted on the Corporation's website, Examiners are paid a "very competitive rate" for their work. Mr. Smith is the "Dallas County Republican Examiner" for the Corporation, and is thus compensated for his writing and may not avail himself of the exemption for uncompensated internet activity in the instant case.

C. Payment by the Corporation to Distribute the Campaign Announcement Article is a Prohibited Corporate Contribution to Smith's Campaign

By paying to distribute Mr. Smith's Campaign Announcement, the Corporation made an in-kind contribution to Mr. Smith's campaign, in violation of 2 U.S.C. § 441b. The Campaign Announcement is a coordinated communication under 11 C.F.R. § 109.21. It was paid for by the Corporation, it satisfies the express advocacy content standard, and it was developed and distributed with the material involvement of Mr. Smith. Corporations are prohibited from making contributions to Federal campaigns.

D. The Campaign Announcement Article Failed to Include Required Disclaimers

David Smith and Examiner.com have willfully disregarded Federal law by failing to include a disclaimer on the Announcement Article, which clearly meets the definition of public communication as set forth in FEC regulations. Smith is a compensated Examiner and is paid for his writings posted on the Corporation's website, including the Announcement Article. The Announcement Article and the fundraising invitation expressly advocate Smith's election as U.S. Representative for Texas' 32nd Congressional District, and solicit contributions by asking readers to attend the fundraiser hosted on November 9, 2009. Thus, a disclaimer must be included to indicate that the communication is authorized by Smith and paid for by the Corporation. Failure to include a disclaimer on a public communication that expressly advocates the election of a clearly identified candidate for Federal office is a violation of 2 U.S.C. § 441d and 11 C.F.R. § 110.11.

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E. **The Corporation Compensated Smith for Campaign Activities, Making a Second Prohibited Corporate Contribution**

The Corporation also made a second prohibited corporate contribution when it compensated Smith for his Campaign Announcement. In making such payment, the Corporation provided Smith with something of value in connection with his campaign for election to the U.S. House of Representatives. Corporate contributions of this type are prohibited under 2 U.S.C. § 441b.

IV. **Conclusion**

Upon information and belief, and based upon the facts relayed herein, David Smith and Examiner.com have violated the Federal Election Campaign Act of 1971, as amended, and Federal Election Commission Regulations as described herein. Accordingly, we respectfully request that the Commission conduct an immediate investigation into the violations outlined above and impose the maximum penalty under law.


The foregoing is correct and accurate to the best of my knowledge, information and belief.

Respectfully submitted,

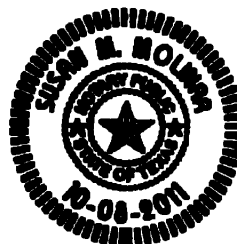


Vickers L. Cunningham, Sr.
9090 N Stemmons Frwy Ste A
Dallas, TX 75247-3521

Sworn to and subscribed before me this 6th day of January, 2010.


Notary Public

My Commission Expires:



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2010 JAN 19 AM 10: 28

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Attachment 1

10044280586

Pete Sessions and NRCC support RINO in NY-23

October 8, 9:44 AM · Dallas County Republican
Examiner · David Smith

I guess this is what happens when you put the foxes in charge of the hen house. U.S. Rep. and National Republican Congressional Committee Chairman Pete Sessions (TX-32), through the NRCC, is supporting RINO (Republican In Name Only) Dede Scozzafava over Doug Hoffman's campaign in New York's 23rd Congressional District.

Further, the GOP is taking to running attack ads against Doug Hoffman, claiming that he is not as conservative as he claims to be. It would appear, then, that the national GOP still "doesn't hear us now."

<http://www.redstate.com/erick/2009/10/08/scozzafava-v-hoffman/>

Scozzafava is on record in favor of the Obama stimulus and has voted for tax increases 190 times in New York. Not your prototypical conservative.

Now, can you imagine the mud that would be slung by Rep. Sessions were someone to challenge him here in Dallas? And God only knows he needs a good stiff challenger in the Republican Primary. But pity the fool who took it upon themselves to do so, given NRCC Chairman Sessions' record of blasting conservative candidates.

The Republican Party needs to recognize that the Republican Party is not made up of big dollar donors, incumbent Representatives and National Party officials. If it does not shed this elitist mentality of "we know what's best for you," how will we ever shed the labels of elitist or racist that we have been pegged with? If we can't even get along *within* the Party ranks, so to speak, how do we stand a chance of reaching outside the establishment to draw in others?

I attended an event last night of Latinos in the D/FW area and was warmly and enthusiastically received. There was much talk of needing to turn out some leftover bad seeds like Pete Sessions, but no talk of replacing them with Liberal Democrats. These people were business people, business owners, entrepreneurs and the like. Many of them have strong ties to Mexico and they do not want the United States or Texas to become what Mexico is and has become.

This entails Republicans reaching out to Latinos and showing them that the principles that we (say) we

stand for are better economically than the alternative. This does *not* entail blasting a challenger every time one lifts its head out of their gopher hole.

The message that Sessions, the NRCC and Republicans send out by both supporting candidates like Scozzafava as well as blasting Hoffman is that we should all keep our heads down, vote the Party line and continue supporting people who have been included on lists of the 20 most corrupt members of Congress. That is Sessions. The same Sessions who has Malaysia, casinos and hot air balloons to explain. The same Sessions who has Bush deficits and bailouts to answer to.

Such Republicans should be careful at whose house they start hurling stones.

10044280587

KBH, Pete Sessions and the bailout: Why double standard?

October 13, 9:11 AM Dallas County Republican Examiner David Smith

Texas Senator John Cornyn voted for the bailout, but very little has been said about Cornyn's support for this measure. This is probably due to the fact that Cornyn is not up for re-election in 2010.

However, U.S. Rep. Pete Sessions (TX-32) and Kay Bailey Hutchison, Texas' other U.S. Senator, are both set to appear on a ballot next spring. While Hutchison's Senate seat would not normally be on the ballot in 2010, she is a candidate for Governor of Texas. And Sessions is running for re-election. Again.

It is interesting to note that all three voted in support of the financial industry bailout in 2008, yet only Hutchison seems to be without her Teflon suit. Cornyn and Sessions have largely gone without notice on the issue of their support for the bailout. Why is that?

U.S. Rep. Pete Sessions is a relatively popular representative, with strong support in the Park Cities and North Dallas. He just held a fundraiser in the area Saturday that was billed as a fundraiser for supporters' "favorite Congressman." This raises several questions, first of which is, why is Sessions seemingly immune to his own voting record?

It is vaguely interesting to take Sessions' popularity in light of the 2006 and 2008 elections, when his colleagues in the Republican Party suffered tremendous losses nationally in both national and state elections. Yet Sessions remains. Despite his support for legislation that earned Senator Hutchison the dubious nickname "Kay Bailout."

Why has Sessions escaped such scrutiny? Is it only for lack of a name compatible with the names affixed to unpopular legislation? Governor Rick Perry has earned the nickname "Governor Good Hair" from his detractors for his full, natural coif. Could it be in the hair?

I think Rep. Sessions has escaped scrutiny because he has escaped the grasp of challengers. He remains, first and foremost, a deeply entrenched, well-funded incumbent with the Dallas County Republican Party squarely in his hip pocket. It would be difficult to challenge such a person, and anyone who did so might suffer a political career-ending defeat. No John Carona or Dan Branch would want that, now would they?

But what about the elite class? Are there none who have the combination of disgust over Sessions'

support of the bailout, the financial ability to challenge someone with \$1 million in the bank, and the skills necessary to defeat such an incumbent—public speaking ability, network, strategic vision, debating skills?

It is mildly disappointing that we have never seen a Roger Staubach toss his hat in the ring for a term in political office. Granted, the man doesn't have to do so. But I can list 5 worse-qualified off the top of my head, and not terribly many better!

H. Ross Perot once held office in the State Legislature, delivering the "No Pass, No Play" legislation. Why didn't he ever follow-up his 1992 and 1996 campaigns for the Presidency by running for Congress? Perhaps Sessions' seat in the U.S. House would be beneath Mr. Perot. But surely the Senate is worthy of a self-made billionaire?

Even popular Mavericks' owner Mark Cuban would make an interesting addition to an otherwise staid collection of empty suits. Then again, if he doesn't even like wearing a suit...

And not to leave out Dallas' collection of highly-qualified ladies, perhaps chief among them would have been the late Mary Kay Ash. Surely fashion and style would have been as supplemented by her presence in the Halls of Congress by this icon of the cosmetics industry. And it would certainly have been fun seeing all those stuffy elected officials riding around in pink limousines as well!

But, alas, none of these ever have or ever did challenge the likes of Rep. Sessions. So District 32 remains "Pete's District." And we continue having a fellow representing us whose economic philosophy holds that it is alright to send cash to his buddies in the corporate realm for engaging in poor business practices. I wonder if they taught him that while he was an Executive at Southwestern Bell?

Are there any who would step up and hang the bailout around Pete's neck like the albatross it has become for Senator Hutchison? After all, it only seems fair given Dallas' impressive support for Hutchison's Gubernatorial bid that Pete be held to the same standard.

And why hasn't the *Dallas Morning News* taken it upon itself to crucify all three of these for their support of the bailout? Where, oh where is our Liberal media when you need them? Oh, well—circulation must be up and they don't need the revenues I guess.

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The unsinkable Pete Sessions? How difficult to challenge an incumbent?

October 14, 2:48 PM Dallas County Republican Examiner - David Smith

The "Unsinkable" Pete Sessions?

U.S. Rep. Pete Sessions enjoys something of an enviable position. He has been in Congress since 1998 and the Representative from Dallas County's District 32 since 2002. He enjoys the distinctively grand support of the area's ruling elite class. And he routinely wards off any and all challengers by utterly controlling the Dallas County Republican Party's headquarters and staff.

So is Sessions' the Republican Party's contemporary version of the Titanic—unsinkable? Like Ali, "The Greatest?"

The numbers seem to indicate otherwise, despite his bank account balance and the continued support of the area's elite.

Pete Sessions only drew slightly more than 28,000 votes in the 2008 Republican Primary, easily outdistanced by the three Democratic Primary challengers who drew over 44,000 combined votes. But this was part of a statewide trend largely due to the epic race between Hillary Clinton and Barack Obama for the Democratic nomination.

Now, I would guess that 10,000 of the 28,000 that voted for Sessions cast their ballot for the incumbent because he was the Republican on the ballot—the only Republican on the ballot! Meaning they held their breath. Likewise, I would guess that there were 10,000 who either did not vote in Sessions' race or did not vote at all who would have voted were there an alternative to the incumbent.

Take those 10,000 "no votes" and the 10,000 "breathers" and that's 20,000 for "anyone else" to 18,000 for Sessions, going with 2008 numbers. And remember, 2008 was relatively light turnout for Republicans in Texas.

The numbers get even more interesting when considering the 2002, 2004 and 2008 Republican Primary elections in District 32. Sessions drew nearly 20,000 votes in the District's first Primary in 2002, which also drew a challenger, albeit one who only drew 6.5% of the vote. But 2004 and 2008 weren't quite as good for Sessions, drawing only 11,000 and 13,000 respectively.

These historically results, I believe, support my assertion using the 2008 numbers. In other words, Sessions would most likely draw somewhere between 15,000-20,000 votes. If heavy voter turnout was the result, that would most likely be pushed to 23,000-24,000. A solid challenger could perhaps draw 20,000, leaving the race wide open. If a solid challenger is a good campaigner and takes advantage of the Tea Party activists willing to volunteer, it could be enough to put them over the top. If not, Sessions gets to keep his job.

"But," you say, "your numbers don't add up! 20,000 votes for each candidate equals 40,000 and no Republican Primary in this District has ever drawn that many voters!" Right. But when taking into account that the Democratic Primary in 2008 all by itself drew 44,000, there are plenty of people out there willing to vote for the right candidate. In 2008 that was Hillary and Obama, so the votes are out there. Like I said, it would take a strong challenger willing to befriend the Tea Party movement and stick to their core principles of fiscal responsibility and it would, indeed, be possible to sink this Titanic.

Rep. Sessions enjoys a hearty core of friends in his District and elsewhere. I am heartened by the number of people who claim friendship with Pete. It is nice to know that we have a Congressman who is so well regarded by those who know him.

Unfortunately, that also means that there are many people out there who know him and who should be addressing his voting record with Pete on a personal basis. And I have also been impressed by the number of his friends who state that "Pete needs to go." And that statement is always preceded by "I'm friends with Pete, but..." It is the word "but" that speaks loudest.

Sadly, we have not done a good enough job holding our elected officials feet to the fire. Governor Perry has violated numerous planks of the State Party Platform. Senators Hutchinson and Cornyn, as well as Rep. Sessions, all supported the TARP "bailout" in 2008. Yet as long as these do not receive strong challenges in their Primary election bids, they think that we are complicit.

And as Pete's friends have said, they need to go. And that happens by challengers stepping up. Even the Titanic needs its iceberg to meet its destiny.

Unanswered questions about U.S. Rep. Pete Sessions (TX-32) on deficits

October 19, 1:41 PM • Dallas County Republican Examiner David Smith

Many Republicans, meaning the rank-and-file version, not the elected sort, have become critical of the elected officials in their Party.

As I have mentioned, I have been quite blunt in publicly questioning elected Republicans to the extent that many in our Party outright sneer at me. And while that means I get invited to fewer parties and social events, its kind of nice to walk into a room and have the Dallas County Republican Party Chairman eyeball me. Kind of like one of those old-fashioned, "Oh, God—there's the editor of the fill-in-the-blank newspaper" looks that so often journalists received in a different era. The look of accountability—"What's he about to ask now?"

I roundly blasted one former elected official recently when their op-ed appeared in my inbox from Texas Insider. I basically said that though I agreed with every word they wrote, they had no voice and their writing such things at this stage comes across as totally insincere and they sounded like a complete boob being "the man behind the curtain," so to speak. So well received was my commentary that they de-friended me on facebook.

This is no big loss since, following the 2006 and 2008 elections, we are at no shortage of former Republican elected officials. If I want friends among their ranks I'll go look up former Dallas County Judge Margaret Kelleher.

Unfortunately, many Republican elected officials escaped the hangman's noose of the 2006 and 2008 elections. And in many cases, these very elected officials are the ones whose behavior caused those elections to be such landscape-altering blowouts as they were.

While national Republicans like Mark Foley (suggestive IM's to underage boys) and Randy "Duke" Cunningham (bribery) left office due to various activities, others like U.S. Rep. Pete Sessions of Texas' 32nd Congressional District have largely escaped the public's wrath. This is mostly due to the fact that nobody in District 32 has chosen to step up and challenge the deeply entrenched incumbent. Strong donor support hasn't hurt his cause either, being labeled as the "favorite Congressman" of one recent fundraiser's attendees.

But in light of the 2006 and 2008 elections and the continued, growing discontent Americans (not just Republicans!) are expressing over the government, its activities and those of the elected representatives in Washington, I believe that a further review of Rep. Sessions' record is in order. Mold, after all, grows best in the dark. And conversely, neither scandals nor mildew tend to thrive in the plain light of day.

Let us begin with the historical. Rep. Sessions was first elected to Congress in 1996 after two previous, unsuccessful efforts. Upon the creation of District 32 after the 2000 Census and redistricting, Sessions moved into Dallas County's new District. So he has been in Congress from the inauguration of President George W. Bush all the way until present. And during that time he has gone from being a Junior Representative in a majority Republican Congress that was, relatively speaking, the model of fiscal conservatism and responsibility to being a leader in a minority Republican Congress that has been the model of fiscal irresponsibility and deficits.

Every budget that President Bush presented to Congress was in the multiple-hundreds of billions in the red. And Rep. Sessions voted for every single one of them. By 2004 this had begun to rankle rank-and-file Republicans as well as independents. But it wasn't until 2006 that the bubbling cauldron boiled over and Republicans lost both Houses of Congress.

Today the Tea Parties and Congressional Republicans—now the "loyal opposition"—have made well-known their displeasure with ballooning budget deficits being pushed by Democrats. Unfortunately, like my interaction with the former Legislator now seated on the sidelines, I must state that representatives like Sessions who voted for that which they should not have for eight years have no purpose or voice in these matters going forward.

I would expect more of Sessions that ongoing budget deficits. As a former corporate executive, I have seen budgets on Capitol Hill and would understand the need to keep the government running. But as a citizen, I would expect more of Sessions that ongoing budget deficits. As a former corporate executive, I have seen budgets on Capitol Hill and would understand the need to keep the government running. But as a citizen, I would expect more of Sessions that ongoing budget deficits.

Unfortunately, it would appear that Congress under the Republicans enjoyed just a wee bit too much the power and influence they maintained while in the majority. And they spurned just a little bit too often the responsibilities they took on with their oaths of office, which included accountability of the Executive Branch to the Congress and fiscal responsibility in budgeting.

His record in the area of the budget necessitates certain questions that have not been answered. And from what I can tell, have yet to even be asked in most cases. It is time that these questions be asked of the Representative, that he appear before his constituents and answer them.

Irresponsibility in regards to the budget under a Republican Congress led directly to Democratic excesses now being exhibited. And since the People demand now that the budget be brought in line, the question must be asked—are those who have left the door open for current excesses to be suffered appropriate to lead the charge to balance the budget going forward?

I suppose that any balanced budget under any Representative is better than any deficit under any unqualified Representative. But the present grassroots movement and expression by citizens who have never before been engaged in the political process outside of voting in the General Election causes one to believe that the current batch of Representatives, commentators and pundits are strangely lacking in either qualifications...or voice.

U.S. Rep. Pete Sessions has unanswered questions to answer—a couple *trillion* of them by my estimation. And its high time that we begin asking them—beginning with his record on the budget

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Unanswered questions:

PETE PAC and Sessions

October 20, 10:11 AM · Dallas County Republican Examiner · David Smith

Well, the writer from Sessions Watch let the cat out of the bag in their comments on my article yesterday when they mentioned gambling and U.S. Rep. Pete Sessions (R-TX). Now, I don't personally have anything against gambling, and I enjoy a nice evening of Texas Hold 'Em with my friends occasionally. But I see the point many people have with regards to gambling, campaign contributions and a sitting Congressman. It raises questions.

Rep. Sessions seems to have a lot of these questions open and unanswered, and that raises questions for us—his constituents. Chief among these is, do we believe it to be acceptable for a sitting Congressman to be using the influence inherent to his position to be engaging in some of the "lobbying" that he is engaging in outside of Washington and in other States?

Rep. Sessions also has a Political Action Committee (PAC) known as PETE PAC. This stands for People for Enterprise / Trade / Economic Growth. I guess it is kind of hard to spell out the acronym "PETE" to be anything intelligible. Another question is to ask...Why is it that PETE PAC mysteriously earns significant contributions from individuals that Rep. Sessions performs "favors" for?

Yet another question is, Why is a U.S. Representative engaging in "lobbying" for non-constituents in matters concerning other States? But maybe that is redundant.

Rep. Sessions has a dearth of trips, associations, and "favors" for which PETE PAC has accepted significant contributions over the years. As the Sessions Watch writer / respondent mentioned yesterday, just for the 2010 election cycle, PETE PAC has received several gifts from "professional gamblers" and others in the casino and gambling industry. So, one question might be, Why is a U.S. Representative from a State with no gambling accepting such contributions?

Well, Sessions wrote a letter some time back to the State of Louisiana stating that a certain casino should be shut down. It seems one or more of PETE PAC's potential supporters desired to open a competing casino nearby. So Sessions wrote the letter and voila...competition shuttered! Another question might be...where is the economic development in that? I mean, if you're for economic development, wouldn't two casinos be better than one? Double the employees. Double the entertainment and live

shows. Double the equipment purchased. Not to mention the *competition* aspect of having two competing businesses near each other.

Then again, monopolies are always better for the one controlling the monopoly, aren't they?

Sessions also took a trip (official term "junket") to Malaysia some time back that raised some questions. Chief among them, what did the Congressman's PAC receive contributions for? For what "favors" did the Representative pledge his assistance? What economic opportunities did the Representative pledge the support of the People to? Perhaps a casino?

This junket was paid for by a shell entity associated with a person whose name everyone will remember: Abramoff! Yup, Tom DeLay's buddy who almost single-handedly handed control of the Congress to the Democrats in 2006. So, Rep. Sessions, explain to us again how everyone thought the "shell" entity was real, how Abramoff's "associates" weren't actually his associates and weren't actually associated with this "junket," and then explain the curious appearance of several thousand dollars in the coffers over at PETE PAC. Because after a few of these, the only person who appears to be benefitting from the "economic development" at PETE PAC is...Pete!

But my favorite question has to do with a certain hot air balloon company, which I have written on before. Actually, "hot air balloon" isn't exactly accurate. But it is a much better visual illustration than saying "dirigible." Then you have to go and explain what a dirigible is using terms like "Hindenberg" and such. Although the visual of the Hindenberg bursting into flames over New Jersey seems oddly appropriate in this conversation.

You see, Rep. Sessions made a pledge some time back to engage in zero pork spending. But *right before* doing so, he had to get one last potential PETE PAC contributor their potential PETE PAC contributions before shutting down the pork express. Did you hear about this? Sessions went through appropriations to secure \$1.6 million for a *hot air balloon* (dirigible) company. This means that you and I gave \$1.6 million to a *private company* to build *hot air balloons* (Hindenbergs) for the U.S. Air Force.

It gets better. This company literally has *never* built one of these dirigibles before. Ever.

Then there's the matter of the company being based in *Illinois*. Sessions being a Congressman from Texas...am I the only person who has a problem with a Congressman from one State writing letters to other States to close casinos or helping a company based in another State? Ignore the gambling thing for a

moment. Why is a U.S. Representative from Texas the call-boy for everyone else??

Then there's the matter of securing public funds for private enterprises. Again...*taxpayer funds* have no business going to a private business for such purposes. That is what *venture capital* is meant for, gentlemen. Where exactly does either PETE PAC or Pete think that is good economic policy?

Then there's the smarmy aspect of the deal. Illinois company, right? Well, they supposedly have an office in San Antonio. Probably like that "shell" entity in Malaysia, right? But with an Illinois address and a San Antonio address to choose from in appropriations, they decide to use a *private address* of the fellow seeking funds who happens to reside right here in *District 32*. Have to maintain our appearances, right Pete?

As I mentioned previously, I don't have anything against Sessions' "questionable" activities as far as Burlesque dancers, casinos, gambling, etc are concerned. But I realize that *many* others do. These range from the more tame problems with gambling in general that some have to the more universal problems with two-facedness that I believe most would take issue with. And Sessions suffers from this problem in large doses.

Former State Rep. Bill Keffer of Dallas wrote an op-ed some time back that appeared on Texas Insider's daily e-blast. I replied to Keffer's comments saying simply, "Representative, I agree with your words in whole. But you lack the voice to speak them." You see, Keffer was elected in 2002 and re-elected in 2004. But he was voted out in 2006, claiming "shifting demographics."

Now, Why did Republicans get voted out of office in 2006 and 2008? "Shifting demographics?" No. More like shifting ethics. It turns out that Keffer was standing at the front door of strip clubs stating they should be closed. At the same time, there was Sessions taking contributions for PETE PAC out the back door and filtering those funds to Keffer's re-election campaign!

Well, Keffer remains a very vocal advocate for the same economic policies that Sessions advocates both personally as well as through PETE PAC. I just don't think he has a voice in the matter any longer either.

Now, once again I will ask--If actions like these warranted so many other Republicans being voted out of Congress, Why is the fellow guilty of the actions still in Congress? Simple. Because nobody had the intestinal fortitude to stand up, pop him in the political jaw, challenge him in a Primary and send him directly to the curb.

It is time for U.S. Representative Pete Sessions, of Texas' 32nd Congressional District, to go do what former career politicians do, whatever that may be. Is there no one who will stand up for the principles the 32nd has been lacking in its representation for so long?

TARP bailout: Sessions' coup

d'grace?

October 21, 11:49 AM · Dallas County
Republican Examiner David Smith

Ouch! How would you like for your entire political career to come down to a nickname playing off of your name? In the case of U.S. Senator Kay Bailey Hutchison (TX), her support for the TARP bailout in 2008 couldn't have come at a worse time. For if she had been content to remain in Washington, D.C. the remaining 4 years of her current Senate term may allow memories to fade and her reputation to remain somewhat intact and unblemished as the most popular figure in the Texas GOP.

But one vote ruined that, along with her seeking election to the office of Governor of Texas. And now her name will forever be associated with the bailout. Unfortunate timing, perhaps. Coupled with an unfortunate position for a bill that would have passed without her support, or that of Texas' other Senator, John Cornyn. His time will come, too.

U.S. Rep. Pete Sessions' time is at hand. As the January 2nd filing deadline quickly approaches, the talk is becoming quite open—will someone challenge this well-entrenched incumbent who has the unfortunate reputation of having voted for the TARP bailout? Anyone?

The bailout will end up being remembered as the turning point in the Republican fall from grace. Campaign fundraising scandals, men's room foot-tapping and inappropriate text messages sent to underage boys (are any text messages between grown men and young boys appropriate?) will be remembered as the

impetus that brought down the Party. Oh, and then there is the matter of budget deficits.

But the TARP bailout, or welfare for multi-billion dollar, multi-national corporations that prefer to send American jobs overseas rather than implementing efficiency-improvements domestically, will be remembered as the domino that launched the grassroots movement that we now see in action and that will flush out the Party's entrenched establishment like a good flood.

And like Senator Kay "Bailout" Bailey Hutchison, U.S. Rep. Pete Sessions is guilty as charged, having voted for the bailout under a Republican administration that opened the doors wide for a stimulus package laden with pork and pushed by the Democratic Party's rulers.

Your time is up, Congressman. Time to tidy up your resume. But don't worry—there are many corporate executives who owe you their bonuses and corporations who will gladly increase your current income for watching their backs.

Who knows—maybe you'll even get a fine health care package to boot!

*Note: coup d'grace..."neck of fat"...i.e. the action that did them/him/it in...the last straw, the final act...rough translation.

Why are Sessions / NRCC / GOP supporting Scozzafava?

October 21, 12:18 PM · Dallas County Republican Examiner David Smith

This is not the election cycle for the establishment to stand up to the electorate. The People are informed enough, educated enough, fed up enough and have enough of an idea of what needs to be occurring in their government to finally be a force in American politics.

For the first time, really in anyone's memory today, the People are taking a stand. More has been said, for example, at Tea Party events against *Republicans* than Democrats. Names like John Carona, John Cornyn, Kay "Bailout", Governor "Good Hair" and other Republican names have been at least as common as those of all the President's "horses" and all the President's "men."

In short, the GOP has as much to fear this cycle as do the Democrats or the President.

So why are the GOP, the National Republican Congressional Committee and U.S. Rep. Pete Sessions, among others, supporting the RINO of RINO's? New York State goes to the polls November 3 to elect a Congressman and its choices are left, left of left and right. And the "Republican" is the left-most of the three!

State Assembly member Dede Scozzafava has the dubious distinction of being endorsed by Daily Kos and having received assistance from ACORN previously. That alone should warrant the GOP not only opposing her election to Congress, but also questioning who in God's name allowed her to run for the New York Assembly as a *Republican*?

Yet, instead of opposing Scozzafava, the GOP is supporting her! In the words of *The American Spectator*, "The 'money' likes Scozzafava." But the People like accountant and entrepreneur Doug Hoffman. And considering that those are the "titles" that I go by, I tend to like him as well.

<http://spectator.org/archives/2009/10/21/its-up-to-you-upstate-new-york>

Now, this isn't meant so much as a "Go Hoffman" piece, but another "Go Away Pete" piece. For U.S. Rep. Pete Sessions, Chairman of the NRCC, is one of the chief members of the GOP pushing for Scozzafava. Undoubtedly, PETE PAC is as well.

It has reached such a fevered level of absurd, the level to which the RNC will go to please "the money," that even well-liked conservative Texas Congressman Jeb Hensarling is now endorsing Scozzafava. What gives, Jeb? If you choose to play butcher, baker and candlestick maker in a tub with Sessions and Scozzafava, yours may be one of the shortest tenures in history.

Now is not the time for the GOP establishment to pick a fight with those who kicked the Republican majority to the curb in 2006 and 2008. As if that weren't enough of a lesson, rank-and-file Republicans are questioning *their* leadership as much as the *national* leadership. And not just in two or three Congressional Districts or States—this has been a large, national grassroots groundswell.

And it is itching for a fight! And names like Pete Sessions are on the tongues of the "rebels." I wouldn't want to be Rep. Sessions right now with increasing talk of a challenger in his District. I wouldn't want to be the RNC, with the possibility of large turnover in the ranks of its Congressional "establishment."

And I wouldn't want to be anybody who stood with the NRCC's pick in New York's 23rd District. Good luck, Scozzafava—if elected, you'll be the most hated Republican in Congress now that Pennsylvania Senator Arlen Specter isn't darkening the door of the GOP any longer.

And good luck, Rep. Sessions—you're going to need it!

Sessions questions: "Is there no other?"

October 22, 12:02 PM · Dallas County Republican Examiner · David Smith

"Which of you will be mortal to redeem
Mans mortal crime, and just the unjust to save,
Dwells in all Heaven charity so dear?"-The Father
from Milton's 'Paradise Lost,' Book 3

"All that is necessary for the triumph of evil is that
good men do nothing." - Edmund Burke

"The time for words is past. The time for action is at
hand."

Our nation is witness today to a political system that
exceeds its delegated role in our nation. Our people
bear witness that they recognize their nation is wholly
incapable of continuing on the path their government
is treading. They have organized, and they are
demanding a different path.

The current President campaigned on a message of
"Hope" and "Change," with little other substance than
that. And the change that he is seeking
implementation of is recognized as unsustainable
and incompatible with our political-economic system.

Who will step to the fore and lead these people? Or
more appropriately stated in our system—who will
serve the People? For we need not leadership, those
who would state, "Elect me, that you will follow what I
tell you to do." That has been shown to be grossly at
odds with the very nature of our government and our
Republic.

We need servants. Those who will do what they are
told. Those who will not invent new powers or
responsibilities for themselves. Those who will
adhere to the platform, the instructions and the
commands they are given.

Who will fill this role? There are many capable. Our
corporations are filled with them. Those who follow
the orders of their shareholders to maximize their
wealth through engaging in profitable endeavors. Will
these step forward and act to preserve the system by
which their companies engage in commerce, profit
and accomplish this creation of wealth for the People,
who are the shareholders?

Our government has become bogged down by those
learned in the Law. And they have transformed our
political-economic system from a commerce-centered

system to one that promotes social justice first,
foremost, only.

We need those learned in commerce. Finance.
Business. Economists and entrepreneurs. We need
to remember what our government was founded to
do—to promote economic expansion and commerce—
and what it was not. We hold these truths to be self-
evident, that all mankind are created equal. But we
are not guaranteed an equal portion. We have what
we earn. And we should be able to keep that which
we earn.

Who will step to the fore and carry on this message
uttered so often before our time?

We need common people who understand that the
root word in 'Representative' is not 'represent,' but
'SENT'. For to *represent*, the action verb is in the
control of the Representative. With *sent* the action
was made by the constituents who *sent* the
Representative. Think about it.

We *sent* our Representatives to their elected
positions. We *present* them with their marching
orders, in the two-Party system, in the form of Party
platforms. Their job, then, is to *RE-present* the
platform of the Party electing them in their respective
roles. And the Party with the majority is the Party
whose platform is in the driver's seat. The People
chose their current majority, the People have to deal
with it.

Or put the other Party in the majority.

The Representative from Texas' 32nd Congressional
District has shown himself to be unqualified for the
role. He has failed to provide accountability to those
of his own Party, and now chooses to oppose those of
the other Party. This is not accountability, it is
partisanship, and it is not adequate for his position
and the role that it is to entail.

He has exchanged favors for personal financial gain
in the political spectrum and he has used this financial
gain to further his own influence over others, choosing
to ignore the values his Party claims and that he
himself professes. He is unworthy of the lapel pin that
identifies his title of service.

Who will offer himself in his stead? Who will serve
those who demand service in place of the one who
would lead them instead?

Who will, like Crockatt and Houston before them,
leave position, status, title and comfort for uncertainty
and personal sacrifice? Will no one?

10049280796

Who will, like Jefferson, Adams and Hancock, pledge themselves in mutual service to each other--the People!--knowing that they may be sacrificing personal reputation in opposing an incumbent who has outlived his usefulness and his welcome?

The current Representative in District 32 could not stand in the presence of Sam Houston, the former President, Senator and Governor of Texas. He is a man with a deeply flawed record of influence peddling, corruption and support for deficits and corporate welfare. He has a record. And it disqualifies him from further service or leadership.

So who will stand and offer themselves in his place?

Is there no other?

-Councilwoman from the movie 'The Matrix: Revolutions'

10044260597

October 23, 2:57 PM Dallas County Republican
Examiner David Smith

Scozzafava has a Liberal record on social topics, supporting both abortion and gay marriage rights. In addition, she has earned the endorsement of the online blog / news service the Daily Kos. She also received support previously from ACORN. If ever there was a doubt, right?

Now Scozzafava has drawn a Democratic candidate and a 3rd Party candidate in her campaign to be elected to Congress from the rural 23rd New York Congressional District. Normally that would be a sure win for Republicans, and this has been the case since the 19th Century! In addition, Scozzafava has received endorsements and major support from Republicans Pete Sessions and Jeb Hensarling as well as the National Republican Congressional Committee, chaired by Sessions, and the Republican National Committee. Former Speaker Newt Gingrich has also tossed his support behind Scozzafava.

Yet Scozzafava is sliding in the polls! It seems her 3rd Party opponent, Conservative Party candidate Doug Hoffman, is gaining ground. It has even been stated that Scozzafava may place third in the race. This would be a major slap to the face of the RNC and Scozzafava supporters.

Scozzafava held a press conference recently in which, surrounded by Hoffman supporters, she called for a public debate between the three candidates. This is not the action of the poll leader typically! Someone who is winning doesn't want a public debate—the guy trailing in the polls and running short of cash is usually the one calling for debates!

Republicans like Sen. Judd Gregg (D-NH) have been taking a back seat to Sen. Scott Brown, Gen. Stanley A. McChrystal, House Speaker Nancy Pelosi and Sen. Barbara Boxer, even though they're not running. Brown and Boxer have been armed and ready for RINO's this time of year. Not a good time to start showing up on their target lists!

Former Alaska Governor Sarah Palin has given her endorsement to Hoffman, citing his conservative values. She joins former Majority Leader Dick Army, who threw the support of his organization, Freedom Works, behind Hoffman's campaign, even appearing at a news conference with Hoffman.

U.S. Rep. Pete Sessions (R-TX), chair of the National Republican Congressional Committee, has escaped public fire, largely due to the fact that no opponent has declared for the Republican Primary in District 32. But online chatter has begun picking up as disgust with support for Scozzafava by big-name Republicans mounts by the day.

Republicans like Sessions and Gingrich, long held as favorites of the base, have begun to draw the ire of those who believe the Party has grown out of touch with the base and rank-and-file members of the Party.

The RNC, NRCC and elected officials should take note—the Tea Party movement has made it very clear, enunciated by Arney's statement last week—they are *non-partisan* and just as willing to vote out Republican elected officials as Democrats. A conservative, in their estimation, replaces a RINO just as well and just as effectively as they would a Liberal Democrat.

Why do you think the health care legislation hasn't been shoved through yet? Moderate Democrats have at least lent an ear to the People who have so vocally stated their disgust with big government, waste and spending. They, at least, have been unwilling to go along with spending programs expected to raise taxes, spending and debt.

When, oh when will Republicans get this message? Apparently it will take the election of a 3rd Party conservative from outside New York's 23rd Congressional District for Republicans to "get" it.

Gingrich blasted by National Right to Work Committee over support for Scozzafava in NY23 race

October 29, 9:08 AM · Dallas County Republican Examiner · David Smith

Letter received on email from Mark Mix, President of the National Right to Work Committee:

Why is Newt Gingrich undercutting our efforts to stop Big Labor's Card Check bill?

Right to Work activists will be disturbed to learn Newt is backing an outspoken supporter of forced unionism and the union bosses in a special election for Congress next week in New York 23.

Does Mr. Gingrich really think it makes no difference whether the Republican Party is pro-worker freedom or not? Just like the final few years when he was Speaker of the House of Representatives, for Newt, it is appears it is just about power and party over principle.

You've probably heard some of the details by now. Opponents of forced unionism are outraged that the Republican party has nominated a candidate who is a supporter of coercive card check. Other conservative and Republican activists have their own reasons for being upset -- that the Republican nominee simply does not support positions anywhere near in line with those of rank and file, main stream Republican voters.

Of course, our concern centers around the forced unionism card check bill and Right to Work issue that simply guarantees a worker the right to decide whether they will join and support a labor union.

The most pressing issue right now though is the Card Check Forced unionism bill, S.B. 560, that is pending in the congress right now!

The bill would eliminate the secret ballot, force workers to accept mandatory binding arbitration, and give broad new power over workers to Big Labor.

The Republican nominee in New York 23, Dede Scozzafava, is simply as wrong as can be on this issue. She answered the AFLCIO's questions by indicating her support for Card Check.

Unfortunately, that's been a habitual pattern with Dede Scozzafava. As a New York Assemblywoman, Dede Scozzafava voted to impose binding arbitration on public employees, stripping workers of the right to vote on their own contracts.

But she didn't stop there.

Dede Scozzafava also voted for "Card Check" to strip certain New York healthcare workers of the right to vote in a secret ballot election.

So why would any opponent of Card Check support Dede Scozzafava?

That's a good question, and it's exactly the question you should ask Newt Gingrich.

You see, all this year Newt Gingrich has been claiming the fight against Card Check as one of the biggest issues for his group, American Solutions. You've probably received emails from him asking for money to fight the card check bill.

I think it's pretty brazen for someone to raise money to fight card check, and then endorse candidates that will go to Washington and vote for this forced unionism power grab.

But that is exactly what's happening here.

You would think Newt Gingrich would have learned his lessons. Personal issues aside, the main reason Newt left the House after losing the support of his colleagues was simple -- he tried to run issueless campaigns and supported too many so-called "Republicans" who were on the wrong side of key issues like Card Check.

After Newt felt a lot of heat from Right to Work supporters back then for failing to move a National Right to Work law, he replied that he didn't need to hold votes on issues like Right to Work, because "We have Monica Lewinsky." Again, party and power over principles, and that cost him the Speaker's chair.

So I ask you today -- are you sick of politicians -- even retired ones -- who simply don't back up their words with their actions?

I know I am.

So please, contact Newt Gingrich today at (202) 828-0025. Tell him to apologize for his support for Big Labor Republican Dede Scozzafava. Tell him you're sick of So-called leaders who say one thing and then do another.

Tell him it's about issues and principles, not whether or not the candidate has an "R" next to his or her name.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Mix". The signature is fluid and cursive, with the first name "Mark" and last name "Mix" clearly distinguishable.

Mark Mix
President

David's note: Less important to me is the support of a Newt Gingrich who acts on his own. Of greater concern is the support offered by the RNC, the NRCC and the Chairman of the NRCC, U.S. Rep. Pete Sessions (TX-32). Even Dallas' Jeb Hensarling has offered his endorsement to Scozzafava. It makes you wonder how much these Representatives were listening in August after all.

10044280600

Is Sessions "The Man" going forward?

November 2, 9:53 AM - Dallas County Republican Examiner · David Smith

U.S. Rep. Pete Sessions was selected to Chair the National Republican Congressional Committee because of the likelihood he would not draw a challenger in the 2010 Republican Primary. And gauging off of his performance in New York's 23rd Congressional District special election, Republicans now have two reasons to question Sessions' qualifications for this position.

Questions about Sessions' record on ethical matters and fiscal policy remain unanswered. And given the fact that 2006 and 2008 happened because of ethical and fiscal concerns nationally within the Republican Party, questions linger about whether *any* challenger might have knocked Sessions out of Congress in recent Republican Primaries.

Rep. Sessions has an interesting scenario that he will soon be faced with. An announcement is forthcoming this week that will throttle the assumption that Sessions will go unchallenged in his re-election effort.

With a Republican Primary challenger likely, Sessions' first major test in New York's 23rd District race draws into question his ability both to carry out the duties inherent in his role Chairing the NRCC as well as his ability to be re-elected given his ethical and fiscal record. Voting for 8 years of Bush era deficits undoubtedly led both to the 2006 and 2008 election fiascoes that saw Republicans lose control of the Congress and the White House, as well as the accelerating deficits of the Obama Administration.

Coupled with his fund raising fiascoes involving Malaysian junkets, Indian casinos and hot air balloons, it would seem that Sessions might almost be best to announce his retirement than having to answer the questions a grueling campaign challenger will force and that have gone largely unasked, unanswered thus far.

Then there is the matter of Sessions' actual role as U.S. Representative. Granted, Democrats enjoy solid majorities in the House and Senate, so the impact that Sessions could have on any given day and in any given topic is somewhat limited. Yet the best he has been able to muster has been to point to his home State of Texas and discuss the tort reform initiated here and advocate "common sense solutions" to contemporary problems. "Common sense solutions." That's political-speak for "I've got *nothing*," because we have yet to hear them if he does! And we can do better than former corporate executives-turned-

Congressmen who have nothing more to offer than bailouts for corporate buddies.

If New York's 23rd District race has been a referendum on anything, it has been on the philosophy of the Republican Party and its leadership has shown itself to be wanting. And with Primary season upon us, perhaps it is time that those leaders take a good, hard look at whether they represent the path forward or the reason for the problems we as a Party and a nation find ourselves facing today.

For elections are about selecting those who can best serve the People. And Sessions can't even get a RINO elected in New York State.

District 32: Is U.S. Representative Pete Sessions "The Man" going forward?

10044280601

Sessions questions: Reviewing a record of deficit spending, corporate bailouts and ethics issues

November 5, 11:37 AM · Dallas County Republican
Examiner David Smith

I seem to have a few more page hits the last couple of days, so it seems to be the perfect time to go over some of the reasons I am running for Texas' 32nd Congressional District seat in the U.S. House. Chief among these, the current Representative's record of deficit spending, corporate bailouts and exchanging political favors for contributions to his Political Action Committee. PETE PAC is an acronym that stands for People for Enterprise, Trade and Economic growth, and is tied to U.S. Rep. Pete Sessions (R-TX-32).

It is a well-known fact that Rep. Sessions, the other (presumed) candidate from District 32 in the 2010 Republican Primary, supported every deficit-laden budget of President George W. Bush's administration. This included the nifty addition of "supplemental" war funding bills, which allowed Republicans to report deficits at lower amounts (\$200 Billion to \$500 Billion per year) than otherwise would have been the case had the war spending bills been included (\$200 Billion to \$300 Billion additional per year). This practice resulted in over \$2 trillion in new debt, and was all signed off on via vote by Rep. Sessions.

The following links show costs of the current wars to further illustrate the above statements and to show that this is not bias on the part of Rep. Sessions' opponent, but well-documented facts pertaining to Sessions' own record.

Chart including clock that tracks the current costs of the wars: <http://zfacts.com/p/447.html>

About \$1.2 trillion just for the wars:
http://en.wikipedia.org/wiki/Financial_cost_of_the_Iraq_War

More than Vietnam:
<http://articles.latimes.com/2009/apr/11/nation/na-iraq-vietnam11>

The 'true' costs:
http://money.cnn.com/2008/01/10/news/economy/cost_of_war.fortune/index.htm

Now don't turn this into a discussion of whether the war is right or not and who supports and who does

not support the troops, etc. I'm talking strictly dollars and cents here, and the simple fact of the matter is that we are paying for the wars with debt. That's not smart from a financial perspective any way you slice it. And Rep. Sessions has signed off on every dollar of that debt.

Let's talk about the deficits. The following government web site shows the debt approximately doubling between 2000 and 2008—all during Sessions' time in D.C.

http://www.treasurydirect.gov/govt/reports/pd/histdebt/histdebt_histo5.htm

This site shows an interesting comparison between the deficits of the Clinton years and of the Bush years. <http://zfacts.com/p/519.html> The interesting fact that nobody chooses to point out in crediting President Bill Clinton with eliminating the deficit is that...Republicans controlled the Congress during that time period! What happened to the balanced budget, Rep. Sessions? Again, Republicans stopped acting like Republicans and by 2008 Americans became tired of the debt spending. Not that it has improved, but we want Representatives who will walk the walk that goes with talking the "Lower Taxes, Less Government" talk.

Then there are the 2008 financial bailouts. As if it weren't bad enough that we took on all those trillions in deficits to the regular budget, we decided to take on a special round of straight up, one-time debt packages. Links here showing Sessions' support of these.

Sessions and Granger support bailout.
<http://trailblazersblog.dallasnews.com/archives/2008/09/most-n-texas-house-members-rej.html> I particularly like the quotes from the Republican Platform in the comments...oops, eh, Pete?

Bailout vote fails...Sessions supports anyways!
http://www.wfas.com/sharedcontent/dwa/wfas/latestnews/stories/wfas080929_wz_meltdown.c2a79d2f.html

Email from Sessions explaining "situation."
<http://obamaredneck.com/2008/10/01/pete-sessions-r-tx-on-the-bail-out/>

And from Sessions Watch.
<http://sessionswatch.blogspot.com/2008/10/pete-sessions-explains-bailout-to.html>

Local Precinct Chair:
<http://1704.localprecinct.com/2008/09/25/my-visit-to-congressman-pete-sessions-office/>

Hmm...seems Sessions owned between \$50,000 and \$100,000 in Fannie Mae. That explains a lot!

<http://realtime.sunlightprojects.org/2008/09/26/financial-bailout-who-are-the-big-investors/>

Might be why he voted NO on monitoring funds from the 2008 TARP bailout?

<http://realtime.sunlightprojects.org/2008/09/26/financial-bailout-who-are-the-big-investors/>

I like #3 and #4 which ask about transparency of TARP funds and identification of institutions accessing TARP funds in light of the previous link. A case of, "I voted against transparency before I voted for transparency"? Letter from Congressional Republicans (including Sessions) to Sec. Paulson and Chairman Bernanke.

<http://www.cnnnews.com/news/article/40284>

Enough for now. I'll delve into the ethics issues and PAC contributions for favors in another piece.

10044280505

CQ Politics: Sessions: "No comment" on Eagle Scout's burlesque fundraiser

November 6, 4:41 PM Dallas County Republican Examiner David Smith

Shhhh! Do you hear that? The silence grows deafening. It is the silence of U.S. Rep. Pete Sessions in response to CQ Politics' article on our District 32 campaign here in Big D.

It seems that Sessions' staff didn't have a reply and Sessions probably didn't want to answer the question I posed in my interview with CQ's Greg Giroux. Specifically, I pointed out that Sessions likes to portray himself as an Eagle Scout, yet he's never truly addressed the issue of why a family values conservative who once achieved the Boy Scouts' highest rank would so enjoy holding fundraisers at burlesque clubs and casinos. Linked below:

<http://blogs.cqpolitics.com/eyeon2010/2009/11/texas-rep-sessions-draws-prima.html>

Score a glancing blow for the Dave-O! Or as my new nick name appears to be, "Poor David!" Don't you just love that Highland Park humor?

Talking Points Memo didn't attempt to contact Rep. Sessions' office, but they were familiar with the casinos, the burlesque dancers, the Abramoff Malaysian getaway weekend and the Illinois hot air balloon festival all associated with Sessions. Now I just have to get the media to start asking these questions.

There were already four comments on the TPM article online, and my favorite was the first: "At least he's honest." To a fault, sometimes. I was only a Boy Scout for a year and didn't go beyond Second Class, but yes, honesty is one thing I'm pretty good at. Ending sentences with prepositions is another. It's a Texas thing.

<http://tpmdc.talkingpointsmemo.com/2009/11/tea-party-activist-challenging-nrcc-chairman-pete-sessions-in-gop-primary.php#comments>

I think I like being labeled "Poor David" better than a "Tea Party activist." It just makes it sound like the thought of running for Congress never occurred to me before February. Not so.

Oh, well. If CQ and TPM are calling already, can Michelle Malkin and O'Reilly be far behind? Maybe

on a slow news night. Ft. Hood will probably be dominating for a few days now.

There was also an interesting link on the CQ site down the left hand column. It lists members of Congress who have been voted out in Primaries and General elections since the 1980's. What was interesting was that there used to be about 10 per election cycle. Today we only see about 2-3 per cycle. My campaign to oust the current incumbent would probably be the biggest defeat of an incumbent on the list next time it is updated.

And the more questions Sessions refuses to answer, the easier that task becomes. So plead the 5th, Pete-Poor David, Honest Dave will be happy to keep on asking questions about your record. Ignore it as long as you may. But I should issue you a warning as a public service announcement. Your name was uttered at the Tea Party event Thursday at Victory Plaza. The audience responded with boo's. Enthusiastic boo's.

Keep not answering questions, Representative. I've got more for you where that one came from. Better polish up that Boy Scout Salute. Better double-check your Boy Scout Pledge—make sure you've still got it memorized (On my honor, I will do my best...).

Because you're going to need it! The contributions to PETE PAC by the gaming industry will be fun to talk about, I'm sure.

10044280604

Republicans, what is victory?

October 27, 9:30 AM Dallas County Republican Examiner David Smith

WBAP radio host Mark Davis appeared at the Log Cabin Republicans' monthly meeting Monday evening and spoke on several topics. One of the chief topics he touched on was the current race in New York's 23rd Congressional District. His comments followed LCR President Rob Schlein's comments, also on the topic. And the contrast shows that there is room in the Republican Party for spirited debate and philosophical differences alike.

Schlein stated that, though New York Assembly member Dede Scozzafava was not the "ideal" candidate, that perhaps the best option for Republicans was to support her. Although the most liberal candidate of the three in the race, Scozzafava was selected by County Republican Chairmen as the nominee to represent the Republican Party in the November 3rd special election. She has also garnered endorsements from the NRCC and Chairman Pete Sessions, former House Speaker Newt Gingrich and Texas Congressman Jeb Hensarling. Conservative Party candidate Doug Hoffman has received endorsements from Sarah Palin and Dick Armey as well as much support from Tea Party activists and conservatives.

Davis made comments to the effect that conservatives are looking at this race as a referendum on the future of the Party beyond 2010. In other words, the same question that has been brought up often of late—will the Party move to the right or to the center? Bigger still, will the Party continue to accept RINO's to represent them or will the Tea Party movement's desire to move to the right, at least fiscally, win out?

Davis' position was that anybody who is willing to vote Republican, at this point, should be greeted with two words: "Thank you!" And he mentioned the recent policy boot camp event the Dallas Tea Party and Institute for Policy Analysis put on, saying, "Those are some *hard core* people! But I don't think they are terribly concerned about gay marriage," etc.

Now, as far as States' Rights and the 10th Amendment are concerned, I agree completely. There are a whole myriad of issues Washington is not to engage in that should be left to the States. And these folks hold to the same premise. We differ on some specifics as to what the State of Texas should do for itself, but that is the sort of debate that we are supposed to hold here in Texas. Some social topics we will just have to hold the debate, and wherever the chips fall, they lie.

But as far as who gets sent to Washington, I hold to my old line...nothing changes if nothing changes!

If we want Washington to behave differently, we don't need to send another RINO to Congress from anywhere! So pardon me, Speaker Gingrich, for getting involved in Doug Hoffman's campaign as an outsider, but I just don't accept this "Any RINO is a good Republican" line any longer. And by the way, who is a resident of Georgia calling me an outsider in a New York election? Hello?!

Remember that this is a U.S. House seat and this is a special election. The winner will turn right around and begin campaigning for the New York Republican Primary election next year in order to keep this seat! In which case I say, let them have it!

If the conservative, Doug Hoffman, can win, then more power to him! If the Democrat wins, so be it. He most likely won't win with more than about one-third of the vote. In which case, two-thirds will unite behind one Republican candidate next year, most likely Hoffman, and vote the Democrat out! That looks to be a national trend in 2010.

I doubt that it can be said that victory in the present discussion can be "settling" for more of the same, i.e. RINO's, aka Dede Scozzafava. More of the same equals politics as usual equals same old, same old. If Scozzafava wins, can she defeat Hoffman in the Republican Primary next year? Doubtful. For at least some of the Republicans voting for this RINO do so only for the "branded" 'R' following her name. A few of those voting for Hoffman and the Primary is his and Scozzafava is less than a one-term wonder.

If the Democrat wins, big deal—the Republican vote was split between two candidates! Come back in 2010 and see how two-thirds defeats one-third! Less than one term, less than a wonder.

Then there's the possibility of Hoffman winning now! I don't see how any one of these scenarios is a loss in the one-year version of the long-term. Hoffman winning in 2010 is a victory. But conservatives standing their ground in this race is a victory any which way it goes.

Remember, many of the comments of the Tea Party activists have been against the Republicans of the last decade, not just the excesses of the current Democratic leadership (note: I hate the word 'regime'). So to refuse to seat Scozzafava sends the message to any RINO's running or considering running in 2010: It's hunting season, and we're loaded for BIG game!

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Stand firm, conservatives! Vote your conscience. If we 'lose' now, it is only temporary. We don't lose Congress on this vote. We don't lose two-thirds control. And the Democrat doesn't win with much more than one-third of the vote. This seat will be ours next year. And the message sent nationally will be that we expect victory nationally in 2010 whatever happens in New York's 23rd.

And so it begins.

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Attachment 2

10044280607

Announcement of candidacy for US House District 32 and campaign kick-off event

November 3, 11:03 PM · Dallas County Republican
Examiner · David Smith

Today I am proud to announce my candidacy for the 32nd Congressional District from the Great State of Texas and I want you to be the first to know. My decision to run has not been made lightly, and I can no longer continue to witness the reckless behavior of our government. I respect your hard work as the backbone of the local Republican Party and look forward to meeting you, working with you and hearing your views on the pressing issues facing our nation and Texas' 32nd District.

I grew up in Farmers Branch and graduated from R.L. Turner High School. I went on to earn degrees in music education and finance (MBA) from the University of North Texas and am now a Corporate Finance and Accounting Analyst. I have always voted Republican, even in my youth, and participated in the Denton County Republican Party before returning to Dallas County after the last election cycle. My concentration the last two years has involved lobbying for reform in the Texas transportation system. This experience has included speaking from the steps of the Texas Capitol at a march / rally last spring and testifying before the Sunset Commission of the Texas Legislature last summer, and contributed to the death of the Trans Texas Corridor earlier this year. I was also honored to speak on several resolutions at the 2008 Denton County Republican Convention.

I am a conservative Republican that endorses the State Platform, and as a corporate accounting professional, I am also a strong fiscal conservative. And sadly I recognize that record budget deficits under Republican leadership led to the exponentially greater debt spending that we see today. I know that our government is broke, in more ways than one, and pledge to do the job our current leadership is failing to perform.

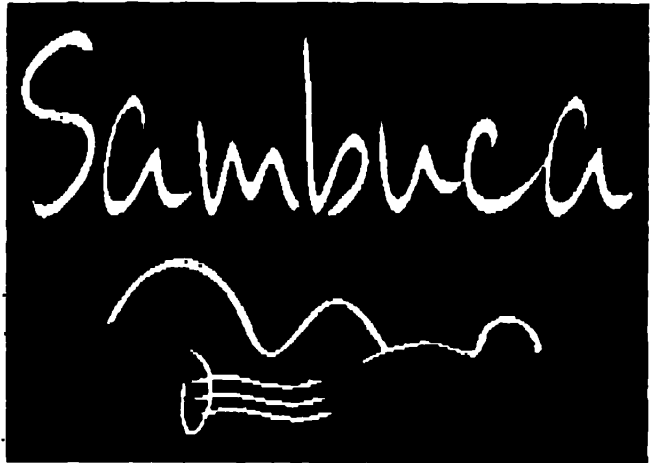
My campaign will focus on issues affecting Texas' 32nd District and our government: *Accountability, Fiscal Responsibility and the Economy*. In coming days you will learn more about my campaign as I move forward to Victory in 2010! I hope to earn your support and your vote, and am looking forward to meeting each of you soon.

My campaign Kick-Off will be Monday, November 9 at Sambuca in uptown and I would like to invite the Dallas County Republican Party Precinct Chairs to attend as my guests! Look for a separate announcement for that event to follow and please

RSVP to either 214-235-8215 or
davidsmithforcongress@yahoo.com.

Thank you,

David Smith
Candidate, U.S. House
Texas' 32nd Congressional District



Join

David Smith for Congress

Candidate for the 32nd Congressional District
of the Great State of Texas
Fundraiser & Campaign Kick-Off

Monday, November 9, 2009

4:30 PM to 5:00 PM
Precinct Chair Reception
5:00 pm to 7:00 PM
Complimentary appetizers
(Cash bar)
Sambuca

2120 McKinney Ave
Dallas, Texas 75201
R.S.V.P. (214) 235-8215 or
davidsmithforcongress@yahoo.com

NOTE: This Examiner.com article is an event notification and is not subject to reporting requirements under Texas law. David Smith, candidate for Congress, subscribes to fair campaign practices under relevant Texas laws.

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